



2012 NCDOT Construction Engineers Workshop

Contract Administration Breakout

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Construction Manual Updates

- **Yearly Updates**
- **Construction Unit Webpage**
- **List of Significant Revisions**
- **Printing 2011 updated manual – anticipate June distribution**

http://www.ncdot.org/doh/operations/dp_chief_eng/constructionunit/formsmanuals/construction



Construction Manual Updates

2011 Significant Revisions

- Division 1 - Prompt Pay
- Division 2 – Blasting & Rock Plating
- Division 3 - Alternate Drainage Pipes
- Division 4 – Drilled Piers
- Division 5 – Lime-Treated Soil & Soil-Cement Base Limitations
- Division 6 – Payment of Asphalt Binder
- Division 12 – Pavement Markings, Observation Periods: Thermoplastic and Polyurea
- Records & Reports:
 - 12 Month Guarantee Review
 - FEMA As-Built Certifications
 - Closeout Process for Division Let & Local Administered Projects

Davis-Bacon Act & Prevailing Wage Rates

- The last USDOL wage rate survey for North Carolina was conducted in 1990.
- September 30, 2011: USDOL published the new NC rates on their web site.
- NCDOT postponed advertisement of Federal Aid projects from November 2011 – January 2012 while attempting to convince the USDOL to reverse this decision.





2011 Wage Determinations Concerns

- Significant increase in wage rates
- Worker classifications decreased from 41 to less than 30.
- 13 different regions – Previously 2 regions statewide (metro and rural)
- The data set utilized was too small – only a 5-month period.
- Very few contractor surveys were used in the study.



NCDOT

New Highway Wage Rate Survey

NCDOT is conducting its own wage survey

- Survey period **February 27 – April 11, 2012**
- Encourage Contractors & Subcontractors to participate – discuss during Monthly Construction Meetings, insert Wage Rate Survey Cards in correspondence
- Goal is to have new wage determinations for Federal projects by the July 2012 letting
- Construction Unit may request certified project payroll data to verify information submitted by Contracting Industry



Wage Rates & Contract Administration

What you need to know...

- Ensure workers are properly classified based on work they perform.
- If a worker's classification is not listed in the contract, the contractor should make an additional classification request.
- Review Certified Payrolls to make sure that the workers' pay rates are at or above the prevailing wage rates listed for their classifications.
- Conduct Wage Rate Interviews to verify data on payrolls.

Additional Classification Requests

- If Contractor is making the request, he should complete Form 1444 – Request for Authorization of Additional Classification and Rate and submit it to the Resident Engineer. (Electronic form on CU web site)
- The Resident Engineer should write a memo to the SCE forwarding the completed form.
- The SCE will send the completed form by email to the USDOL Wage and Hour Division for approval.



Certified Payrolls

- Site of Work
 - Project limits
 - Location dedicated only for the project
 - (i.e. borrow/waste pits)
- Payroll Exemptions
 - Truck drivers, including those employed by the contractor, who come on the “site of work” to deliver or pick up construction materials.
 - Project engineers, surveyors, quality control or quality assurance inspectors and contract compliance inspectors are not usually considered to be laborers or mechanics.
 - Bridge Replacement Projects on roadways classified as a local roadway or rural local collector, typically designated by a “BRZ” federal aid number.





Certified Payroll Reviews

- Submission of weekly payrolls consecutive from date construction begins thru the acceptance date
- FAP Forms for Certified Payrolls may be found in Division 1 of the Construction Manual
- FAP-1: Form used to document receipt of payrolls, period of time, contractor and subcontractors and whether active or inactive
- Payroll violations:
 - Don't return payroll to Contractor
 - Seek guidance from the Division Engineer
 - Notify the Contractor of the error – use FAP-2 Form letter which details corrective actions
 - Document resolution of the violation (Form FAP-3)

Contract No:
County:

Week Ending:

PRIME CONTRACTORS AND APPROVED SUBCONTRACTORS

Payrolls for the Contractors listed below and shown as active are attached. In addition, all corrected payrolls are attached. All payrolls have been checked by_____.

[illegible]

*Contractor submitted payroll as active, but work not shown in diary.

Signed: _____
Resident Engineer

FAP-2

Form FAP-2

Project Number: _____

F. A. Number: _____

County: _____

Description: _____

Subject: Wage Violation

Contractor: (Name and Address)

Gentlemen:

Upon review of (Name of Contractor) payroll, for the week ending _____, the following discrepancy was found. (Description of discrepancy)

In view of the errors or violations noted above, it will be necessary for you to investigate and report your findings to this office. If the error or violation has resulted in an underpayment to an employee, it will also be necessary for you to do the following:

1. Ascertain the correct amount of any pay that is due the employee and make payment.
2. Prepare a corrected payroll.
3. Prepare a letter of explanation, giving your reasons in detail why the underpayment occurred. Do not use such phrases as "due to error" or "due to oversight," without further explanation. An example of an appropriate explanation is as follows: "The total hours worked were incorrectly added on the foreman's time card and the payroll clerk failed to catch the error."
4. List corrective measures you have taken to prevent a recurrence. This must also be in detail. An example of an appropriate explanation is as follows: "All transferred data from time cards and payroll calculations are now being double checked by a second person."
5. Transmit the corrected payroll, your letter of explanation, and evidence of payment, where underpayment has occurred. Evidence of underpayment may be a copy of the canceled check to the employee or a copy of a statement signed by the employee stating that he has received the underpayment. This statement shall also show the amount of payment received by the employee

Yours very truly,

Resident Engineer

cc-(Division Engineer)
(State Construction Engineer)

FAP-3

Form FAP-3

Project Number: _____

F. A. Number: _____

County: _____

Description: _____

Subject: Status of Wage Violation

MEMORANDUM TO: (Name)
Division Engineer

FROM: (Name)
Resident Engineer

By letter dated (date), (Contractor's name) was advised of the wage violation(s) committed. I have since received a letter of explanation from the Contractor including verification that proper payment has been made.

I have reviewed the violation and have determined the following:

- (1) The classification of each employee involved is correct and the correct wages have been paid.
- (2) The employee(s) involved have been interviewed and now feel that they receive their proper wages.
- (3) Other: (Explain)

It is my judgment that the underpayment was non-willful and the violations were caused inadvertently, notwithstanding the exercise of due care.

cc:
(State Construction Engineer)

Attachments



Wage Interview Forms

- Wage Interview Forms are in Division One of the Construction Manual.
- English and Spanish versions
- Conduct interviews at least once per quarter (based on calendar year).
- At least one employee of the prime and each sub should be interviewed during the life of the contract.

Wage Interview Form

Contract Number: _____

Division and County: _____

Prime or Subcontractor: _____

Company Name: _____

North Carolina Department of Transportation

Subject: Interview of Wages and Hours

First and Last Name: _____

Street Address _____

City: _____ State _____

Zip Code: _____

Telephone Number: _____

Name of Company your employer: _____

How long have you worked for this company? _____

Date you were hired? _____

Job Classification _____

Hourly Wage _____

Are you paid by check or paid in cash? _____

Are taxes deducted from your pay? _____

Who pays you? _____

Do you work more than 40 hours per week? _____

Do you receive over-time pay for working more than 40 hours? _____

Who is your supervisor? _____



Project Payments - Prompt Pay

Subarticle 109-4(B)

- **Time Frame: 7 Days from Receipt of Monies**
- **Retainage: May Withhold 3% if Subcontractor Does Not Obtain a Payment & Performance Bond**



Project Payments - Prompt Pay

Complaint Process

- **Complaint should be in writing**
- **Certified Letter to Prime notifying of complaint with request for explanation/resolution details**

Non-compliance

- **Withholding of money due the Contractor**
- **Removal from the Prequalified Bidders List or removal of other entities from the approved subcontractors' list.**



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

BEVERLY EAVES PERDUE
GOVERNOR

EUGENE A. CONTI, JR.
SECRETARY

October 19, 2010

CERTIFIED MAIL

Contract No.: C211111
Project: R-5678E
County: Honey
Description: Storm Drainage Infiltration Basins

Super Contracting Company
333 Alto Road
Wheatown, North Carolina 28777

Subject: Subcontractor Payment

Gentlemen:

The Department has been notified by Stones Unlimited of an outstanding payment due them for work performed on the above project.

Subarticle 109-4(B) of the Standard Specifications requires that contractors at all levels; prime, subcontractors, or second tier subcontractors, shall within seven calendar days of receipt of monies, resulting from the satisfactory completion of work performed, pay subcontractors, second tier subcontractors or material suppliers.

Please provide documentation to this office within seven (7) days of receipt of this letter, which supports that all outstanding obligations to Stones Unlimited have been met or provide justification for withholding payment. Please note that failure to make prompt payment in accordance with the Specifications may result in removing an approved contractor from the prequalified bidders list or the approved subcontractors' list.

Should you have any questions, contact I. M Resident P. E. at 555-555-5555.

Sincerely,

I. M. Resident, P. E.
Resident Engineer

Cc: Division Engineer
State Construction Engineer
Bridge or Roadway Construction Engineer

Active Claims

- **Procedures**
- **Contractor Claim Submittal Form**
- **Claim Decision**



Contractor Claim Submittal Form

http://www.ncdot.org/doh/operations/dp_chief_eng/constructionunit/formsmanuals/ccsf-1.pdf

North Carolina Department of Transportation
Contractor Claim Submittal Form

Contract No.: _____ Division: _____
 Project No.: _____ County: _____
 Date: _____ Contract: _____
 District: _____ Resident Engineer: _____

Use Required to Fill:
☐ An Extension in Contract Time: Amount: _____ Days
☐ An Extension in Anticipated Contract Time: Amount: _____ Days
☐ Additional Compensation: Amount: \$ _____

Contractor Claim Submittal Form Instructions

1. Complete the requested project information on page 1.
2. Complete the applicable specific sections on pages 2-4. For contract time extension requests, complete the applicable section on page 2. For requests for additional compensation, complete the applicable section on page 3.
3. Attach supporting documentation (e.g., cost records, weekly reports, supporting data and information).
4. Complete the certification section on page 4. Note: The Contractor's Authorized Representative should be someone who has the authority to sign supplementary agreements for the Contractor.
5. Forward the original form and supporting information to the Resident Engineer if the claim is an action claim. If the claim is a final claim, forward the original form and supporting information to the State Construction Engineer.

Contractor's Certification

I hereby certify that the information contained herein is submitted in accordance with the Standard Specifications and is true and accurate.

Signature: _____ Title: _____
 (Print or Type Name) _____ Date: _____

Comments: _____

Form CTSF-1 (2/2005) Page 1 of 1

Contractor Claim Submittal Form

Request for Extension in Contract Time: (Applicable sections to be completed by Contractor)

185.3001 - Delays To The Contractor's Controlling Operation(s)

1. What is the alleged controlling operation delayed? _____
2. What are the circumstances resulting in the alleged delay? _____
3. When estimate time taken was the controlling operation allegedly delayed? _____

185.3002 - Changes In The Work Ordered By The Engineer (Additional Work, Etc.)

1. What is the category of the request? ☐ Reduction in Quantity ☐ Extension of Time ☐ Additional Work ☐ Extra Work
2. What is the alleged operation? _____
3. What is the controlling operation? _____
4. When was the estimate time taken affected? _____
5. When were extensions in time requested? _____

Form CTSF-1 (2/2005) Page 2 of 1

Contractor Claim Submittal Form

Request for Additional Compensation: (Applicable sections to be completed by Contractor)

185.3 - Alterations of Plans or Details of Construction

1. Was the Engineer notified in writing prior to performing the work? ☐ Yes ☐ No Date of Notification: _____
2. Is the claim and supporting documentation being submitted within 120 days after completion of the work? ☐ Yes ☐ No
3. Have weekly records of the alleged alterations been submitted as required by Subarticle 104.402? ☐ Yes ☐ No
4. Has the Character of performing the work materially changed? ☐ Yes ☐ No Reason explain: _____
5. Has the cost of performing the work changed? ☐ Yes ☐ No Reason explain: _____

185.4 - Suspension of Work

1. (a) Was the Engineer requested in writing prior to performing the work? ☐ Yes ☐ No If yes, per to (b) If yes, What was the date of individual Engineer's response? _____ through _____
 Was the Engineer notified in writing within 7 days of the suspension of the work to file a claim for additional compensation? ☐ Yes ☐ No Date of Notification: _____
 Is the request for adjustment in compensation with cost records, supporting data and information being submitted within 120 calendar days after the last day of the suspension of work? ☐ Yes ☐ No Use 3.
 (b) What was the alleged suspension? _____
 When was the claim of the alleged suspension? _____ through _____
 Was the Engineer notified in writing of the suspension of the work to file a claim for additional compensation? ☐ Yes ☐ No Date of Notification: _____
 Is the request for adjustment in compensation with cost records, supporting data and information being submitted within 120 calendar days after the last day of the alleged suspension of work? ☐ Yes ☐ No Use 3.
 2. Have weekly records of the suspension or alleged suspension been submitted as required by Subarticle 104.402? ☐ Yes ☐ No
 3. Was the Engineer requested in writing prior to performing the work? ☐ Yes ☐ No

Form CTSF-1 (2/2005) Page 3 of 1

Contractor Claim Submittal Form

Request for Additional Compensation: (Cont'd) (Applicable sections to be completed by Contractor)

185.7 - Extra Work

1. Was the Engineer notified in writing prior to performing the work? ☐ Yes ☐ No Date: _____
2. Is the claim being submitted within 120 days after completion of the work? ☐ Yes ☐ No
3. Have weekly records of the alleged extra work been submitted as required by Subarticle 104.402? ☐ Yes ☐ No
4. What was the alleged extra work? _____

185.8 - Suspension of Work

1. Were cost records of the suspension kept in accordance with Article 104.3 (Extra Account Work)? ☐ Yes ☐ No
2. Did the Engineer determine the suspended work to be acceptable? ☐ Yes ☐ No If yes, explain: _____

Form CTSF-1 (2/2005) Page 4 of 1



Active Claims

Claims up to \$50,000 and 30 days

- Contractor submits claim.
- Resident Engineer reviews and approves within 10 days. (If claim is to be denied, see below.)
- If Resident Engineer recommends denial of claim, the request should be forwarded to the Division Engineer within 10 days.
- Division Engineer reviews Resident Engineer's recommendation of denial and approves or denies the claim within 10 days.
- **TOTAL PROCESS COMPLETE WITHIN ONE MONTH**



Active Claims

Claims between \$50,000 and \$100,000 and up to 90 days

- Contractor submits claim.
- Resident Engineer reviews and sends recommendation for Bridge Construction / Roadway Construction Engineer within 30 days.
- Bridge Construction / Roadway Construction Engineer reviews and forwards to Division Engineer with comments within 10 days.
- Division Engineer reviews and approves or denies claim within 5 days.
- **PROCESS COMPLETE WITHIN SIX WEEKS.**



Active Claims

Claims over \$100,000 and over 90 days

- Contractor submits claim.
- Resident Engineer reviews and forwards recommendation to Bridge Construction / Roadway Construction Engineer review within 30 days.
- Bridge Construction / Roadway Construction Engineer (State Construction Engineer) reviews and forwards to Division Engineer with comments within 10 days.
- Division Engineer reviews and makes decision within 10 days.
- **PROCESS COMPLETE WITHIN 2 ½ MONTHS**



Final Estimate Process

- Final Estimate Assembly
- **Notification of Final Quantities**
- Final Estimate Audit
- DBE Payment Verification
- Required Documents
- Final Claim Letter
- Verified Claim Process



Final Estimate Process Division Let Projects

- Final Estimate Assembly
- **Notification of Final Quantities**
- DBE Payment Verification
- Required Documents
- Notify CCU to process final estimate in HiCAMS
- Final Claim Letter
- Verified Claim Process



Final Estimate Process

- Preparation of the final estimate assembly should begin when the construction of a project begins.
- Resident Engineer prepares Final Estimate Assembly.
- Division Engineer performs quality Assurance check of the Final Estimate Assembly and notifies the Contractor in writing of the final quantities and apparent liquidated damages.



Notification of Final Quantities Letter

January 13, 2011

CERTIFIED MAIL

Contract No.: C000000
Project: 1111.1.1
County: Any
Description: R-0000Z – US 00 From State Line to State Line

Contractors, Incorporated
P.O. Box 0000
Anywherein, NC 27000

Subject: Notification of Final Quantities and Apparent Liquidated Damages

Gentlemen:

The final estimate assembly for the above referenced project has been completed and the Contract Final Quantities report is attached for your review. This is not the final estimate as defined by Article 101-3 and referenced in Article 107-25 of the 2006 Standard Specifications.

The date of availability for this contract was April 9, 2006 and the completion date was July 15, 2007. Construction began on April 9, 2006 and was completed and accepted on July 30, 2007 resulting in an overrun of the contract time by 15 calendar days. Supplemental Agreement Number 1 granted a contract time extension of five (5) calendar days. The contractual final estimate underran 0.110% allowing no additional calendar days. The revised completion date with authorized extensions is July 20, 2007. This results in an overrun of the contract time by 10 days at \$1,000 per day for a total of \$10,000 of apparent liquidated damages assessable for the overall contract time.

Intermediate Contract Time Number 2 consisted of lane closure day and time restrictions. Seven (7) hourly violations to this intermediate contract time at \$1,000 per hour occurred during the life of the project. A total of \$7,000 of apparent liquidated damages is assessable for these violations to the intermediate contract time.

In summary, a total of \$17,000 in apparent liquidated damages is assessable for violations to the overall and intermediate contract times.



Final Estimate Process

- Preparation and checking by Resident Engineer, 45 days for major contracts and 30 days for minor contracts.
- Quality assurance check by Division Engineer 15 days for major contracts and 15 days for minor contracts.
- Major contracts: major grading; grading and structure; paving, widening, and rehabilitation; and turnkey projects. These contracts typically have a total cost of more than \$10 million.
- Minor contracts: all other contracts

Closeout Conference

- **Notification of Final Quantities**
- Notify and Review All Issues Prior to Conference
- Any Additional Compensation or Contract Time must be Referenced by Specification
- Construction Unit Personnel and Approved Contractor Personnel must Sign the Closeout Form,(Centrally-Let)
- For Division Let Projects the Division Engineer may sign the Closeout Form
- The Executed Closeout Form Serves as the Final Claim Letter





Project Closeout

- New Closeout Process
- 1446B Form and Final Acceptance Checklist is required for NCDOT delegated projects
- Construction Unit is responsible for centrally-let projects
- Division Engineer is responsible for Division-let and Local projects

1446B Form

NCDOT FINAL ACCEPTANCE REPORT FORM 1446B For NCDOT Delegated Authority Projects

Contract Number: Division:
WBS Number: F.A. #:
TIP Number: County:

Project Location

Project Scope

Letting Date
Date Work Started
Date Accepted by NCDOT
Date Final Estimate Paid

☒ Procedures and controls were sufficient to assure that this project was completed in reasonable close conformance with the approved plans and specifications including authorized changes and extra work.

Remarks: If applicable note deficiencies below

Project Acceptance – State Construction Engineer

Signature

P. L. Ried

Date

Materials Certification – State Materials Engineer

Signature

Stephen A. Pappas

Date

cc: Division Engineer
Project Management Unit
Federal Funds Management Unit
FHWA – Operations Engineer



Final Acceptance Checklist for NCDOT Delegated Authority Projects

Project Information:

TIP No.		Federal-aid No.		Contract No.	
Project Description:					
NCDOT Division:					
Date Awarded:		Contract Execution Date:			
Availability Date:		Work Start Date:			
Contract Calendar Days:		Revised Contract Calendar Days:			
Contract Completion Date:		State Acceptance Date:			
Liquidated Damages (No. of days and total amount):					
Material Certification	Yes	No	N/A		
Final Estimate	Yes X	No	N/A	ATTACHED	
Contractor's Written Statement of Claims	Yes	No	N/A		
Supplemental Agreements Properly Executed	Yes	No	N/A		
Claims Properly Executed	Yes	No	N/A		
DBE Contract Commitments Achieved If no, attach explanation of shortfall	Yes	No	N/A		
Additional Information:					
Cc: Materials & Test Unit					



Subcontracting

Replacement of DBE Subcontractors

- **DBE subcontractor can be replaced for valid reasons.**
- **Contractor must make a Good Faith Effort to replace with another DBE.**
- **Contractor must submit a DBE/MBE/WBE Replacement Request Form to RE.**

http://www.ncdot.org/doh/operations/dp_chief_eng/constructionunit/formsmanuals/



DBE/MBE/WBE Replacement Request Form



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

DBE MBE WBE REPLACEMENT REQUEST FORM

The North Carolina Department of Transportation (NCDOT) is committed to the participation of Disadvantaged, Minority and Woman Business Enterprises (DBE/MBE/WBE), in contracting opportunities in accordance with 49 Code of Federal Regulations (CFR). It is the policy of NCDOT to ensure nondiscrimination on the basis of race, color, sex or national origin in the award and administration of the contracts.

In accordance with the Special Provisions the Contractor shall not terminate a committed DBE/MBE/WBE subcontractor for convenience or perform the work with its own forces or those of an affiliate. Reasonable methods to resolve performance disputes must be applied. The contractor must demonstrate reasonable efforts to replace a committed DBE/MBE/WBE firm that does not perform as intended with another committed DBE/MBE/WBE firm. Replacement of a DBE without written approval from NCDOT is a violation of contract provisions and may result in the Contractor being disqualified from bidding for a period of up to 6 months.

Contract Number: _____

DBE/MBE/WBE being replaced: _____

Explanation for Replacement: _____

Subcontract Amount: _____

Amount of Subcontract Remaining: _____

Line Items: _____

If a DBE/MBE/WBE subcontractor is terminated, or fails to complete its work on the contract for any reason, the prime contractor will make good faith efforts to find another DBE/MBE/WBE subcontractor to substitute for the original DBE/MBE/WBE. These good faith efforts shall be directed at finding another DBE to perform at least the same amount of work under the contract as DBE/MBE/WBE that was terminated, to the extent needed to meet the contract goal established for the project.

Replacement Contractor: _____

Is this a NCDOT Certified DBE/MBE/WBE contractor? Yes ☐ No ☐

By signing this document, the Contractors and Resident Engineer who is the designated representative of NCDOT, concurs with the process of replacing the named DBE/MBE/WBE subcontractor.

DBE Contractor Signature _____ Date _____

Prime Contractor Signature _____ Date _____

Resident Engineer Signature _____ Date _____

Upon Completion Send to:

Cc: Division Engineer
State Construction Engineer
State Contractor Utilization Engineer
Business Opportunity and Workforce Development



Project Payments - DBE Reporting

- **November 2011 DBE Provisions**
- **DBE Payment Tracking System**
 - HiCAMS Projects
 - <https://apps.dot.state.nc.us/Vendor/PaymentTracking/>
 - Prime Contractor responsible for entering all payments
- **DBE Subcontractor Payment Information Form DBE-IS**
 - Non-HiCAMS Purchase Order Contracts
 - <http://www.ncdot.org/doh/forms/files/DBE-IS.xls>
 - Submit with invoice

Form DBE-IS

Form DBE-IS

**State of North Carolina
Department of Transportation
Subcontractor Payment Information**

Submit with Invoice To: Invoice Coordinator
North Carolina Department of Transportation
Division / Branch
Address
Raleigh, NC XXXXX-XXXX

Firm Invoice No. Reference _____
NCDOT PO / Contract Number _____
WBS No. (State Project No.) _____
Date of Invoice _____
Signed _____

Invoice Line Item Reference	Payer Name	Payer Federal Tax Id	Subcontractor / Subconsultant/ Material Supplier Name	Subcontractor / Subconsultant / Material Supplier Federal Tax Id	Amount Paid To Subcontractor / Subconsultant / Material Supplier This Invoice	Date Paid To Subcontractor / Subconsultant / Material Supplier This Invoice
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____

Total Amount Paid to Subcontractor Firms \$ _____

NOTE: - These documents are scanned into our Fiscal program. Please do not highlight or shade the figures.

I certify that this information accurately reflects actual payments made and the dates the payments were made to Subcontractors/
Subconsultants/Material Suppliers on the above referenced project.

Signature _____ Title _____

Print Name _____ Date _____

Rev. 01/07



Counting DBE Participation

Joint Checks

- Prior Notification Required
- Form JC-1

Subcontracts (Non-Trucking)

- To Another DBE Counts
- To A Non-DBE Does Not Count



Commercially Useful Function

DBE Utilization in Trucking

- **Subcontracting to DBE**
- **Subcontracting to Non-DBE**
- **Leasing Trucks**
- **Documentation**
 - **Subcontracts not required for 2nd Tier Trucking Subcontractors**
 - **Written Lease Agreements Are Required**
 - **Dashboard Display**



Reports and Documentation

Trucking Plan Required

- **Name of All Firms**
- **Certification Types**
- **Number of Trucks Owned By Each**
- **Truck Identification Numbers**
- **Line Items of Work**



Default Of Contract

- Article 108-9 of the Standard Specifications.
- Declaration of Default must be in writing.
- May result in removal from the prequalified bidder's list. Authority delegated to the State Construction Engineer.
- Please contact the Construction Unit for assistance.



Public Records

- All project records except the Project Diaries are public records.
- Project Diaries become public records once the final estimate has been paid, therefore, Project Diaries shall not be provided to the contractor or general public until the final estimate has been processed by the Construction Unit.



Public Records

- Requests to review the Project Diaries shall be made in writing to the State Construction Engineer.
- Anyone desiring to view public project records must make such request in writing.
- Records shall not be viewed except in the presence of a Department representative to ensure nothing is added to and/or removed from the records.

Public Records

- The Department may release the documents to a bonded copying service for copying. Before release to any such service, permission should be obtained from the State Construction Engineer.





Public Records

Mr. Robert Dacre
Construction Contract Advisors, L. L.C.
3716 Willow Stone Lane
Wake Forest, North Carolina 27587

Subject: Request for Access to Public Records
Contract Number C201581

Dear Mr. Dacre:

This is in response to your January 9, 2012 letter requesting access to public records for the above project.

Records for the subject project that are in our possession will be available for your review in the Construction Unit after January 23, 2012. Please contact Mr. Phillip Johnson of my staff to schedule a time for review and to discuss any method you propose for duplication of documents.

If you have any questions concerning this matter, contact Mr. Phillip Johnson at (919) 707-2413.

Sincerely,

R. A. Hancock, P.E.
State Construction Engineer

RAH/PRJ

cc:
Mr. R. E. Greene, Jr. P.E.
Mr. C. E. Lassiter, Jr. P.E.
Mr. J. D. Metcalfe, P.E.
Ms. Elizabeth McKay



Electronic Inspection Pilot Constructware

- Pilot Project using Constructware for project documentation.
- Document collaboration web-based system.
- Resident Engineer offices in Division 10 and Division 6.
- Using on Design-Build projects and Fayetteville Outer Loop Bid-Build projects.



Electronic Inspection Pilot Project

- Pilot Project using Tablets for project documentation.
- Resident Engineer's offices in Division 5 and Division 3.
- Dependent on funding and pilot projects' success, next distribution will include all Divisions.



Electronic As-Builts

- Procedures are being developed for Resident Engineers' offices to complete As-built plans electronically.
- NCDOT – IT is developing the file structure to be used by the Resident Engineers' offices.
- More information will be distributed as the procedures are finalized.
- Electronic database of existing plans is being developed.



Construction Engineering & Inspection by PEFs

- Statewide on-call contracts have been set-up with 12 firms exclusively for CEI. DCEs need to contact Robert Stroup (PMSU) to utilize these contracts. If you request a large number of technicians, he will refer you to CU for approval.
- CU reviews the Division workload and makes recommendations regarding the use of project specific contracts vs. the on-call contracts.
- New evaluation forms have been developed to provide feedback to the firms regarding performance



Waive Assessment of Liquidated Damages

- When all other work on the project is complete, with the exception of an item or items on which work is precluded by seasonal limitations, the Engineer may waive the assessment of liquidated damages.
- Authority to waive the assessment of liquidated damages is delegated to the State Construction Engineer for all contract construction and to the Division Engineer for purchase order and Division-Let projects.



12-Month Guarantee

- **12 Months from the Date of Acceptance**
- **Covers Major Components of the Work**
- **It Is Not Intended to Perform Routine Maintenance Activities (Mowing Grass, Shoulder Rut Repairs, etc.)**

12 Month Guarantee

- **Repairs Are Covered Under the Payment and Performance Bond.**
- **Manufacturer's Guarantees May Extend Beyond the 12 Month Guarantee Period.**
- **Design-build projects typically include longer warranty periods.**





HiCAMS

- HiCAMS Webinars
- HiCAMS User Guides
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[HiCAMS »](#)**Webinar Information**

At this time, there is no on-site HiCAMS training available. Webinars will be held once a month addressing specific Functional areas.

HiCAMS Webinar Schedule

Webinar Topic	Webinar Date and Time	Webinar Status
HiCAMS Overview for New Contract Administration Users	February 27, 2012 10:00 - 11:30 AM EST	Complete
Contract Maintenance	March 22, 2012 10:00 - 11:30 AM EST	Scheduled
Contract Adjustments	TBD	Planned
Contract Tracking	TBD	Planned

For answers to specific [Contract Administration](#) questions, please contact the Construction Unit at 919 - 707 - 2400.

For answers to specific [Materials and Tests](#) questions, please contact the Materials and Tests Unit at 919 - 329 - 4327.



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HiCAMS User Guides

About HiCAMS and DOH Vendor User Guides

User Guides are provided for many functional areas for HiCAMS. The index has been designed to duplicate the HiCAMS menu structure with the Chapters corresponding to the Functional Areas and the Sections corresponding to the Functions.

If you are a new user, learn HiCAMS Basics in the [Getting Started](#) User Guide.

For help with specific Functions, click the appropriate section from the list to download the User Guide in Adobe Acrobat format.

For assistance with areas not covered by the User Guides, please contact the Construction Unit at 919-733-2210 or the M&T Unit at 919-733-7091.

To save the User Guides to your hard drive, first create a folder on your C:\ drive named "HiCAMS User Guides", and then Save the downloaded file to this folder.

All users can access the **HiCAMS FAQs** [here](#)

All users can access the **HiCAMS Release Notes** [here](#)

Go to the [HiCAMS Homepage](#)

Access to the HiCAMS Home Page is restricted to DOT Internal users.



Questions?